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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,
vs.
PACIFIC GAS AND ELECTRIC CO.,
Defendant.

Case No. 14-cr-00175-WHA

CPUC MOTION FOR LEAVE TO FILE AMICUS LETTER

Hearing Date: 02/03/2021
Time: 8:00 am
Courtroom: 12, 19th Floor
Judge: Hon. William H. Alsup

The California Public Utilities Commission (“CPUC”) hereby seeks leave of the Court to file an *Amicus* letter regarding the new proposed terms of probation for defendant Pacific Gas and Electric Company (“PG&E”). Federal courts have inherent authority to entertain Amicus briefs. *In re Bayshore Ford Truck Sales, Inc.*, 471 F.3d 1233, 1249, n.34 (11th Cir. 2006).

The CPUC's proposed letter is attached hereto as **Exhibit 1**.

Respectfully submitted,

February 2, 2021

By: /s/ Christofer C. Nolan
AROCLES AGUILAR
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CHRISTOFER C. NOLAN

Attorneys for the CALIFORNIA PUBLIC
UTILITIES COMMISSION

CPUC MOTION FOR LEAVE TO FILE AMICUS LETTER

Case No. 14-CR-00175-WHA

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EXHIBIT 1

STATE OF CALIFORNIA

GAVIN NEWSOM, Governor

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



February 2, 2021

VIA ELECTRONIC MAIL

Honorable William H. Alsup
United States District Court
Northern District of California
Courtroom 12 - 19th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Re: Amici Proposed Term of Probation in Case No. 3:14-cr-00175-WHA

Dear Judge Alsup,

Before the Court are six new conditions of probation for defendant Pacific Gas and Electric Company (“PG&E”), only two of which were proposed by the Court. Although not a party to this proceeding, the California Public Utilities Commission (“CPUC”) carries substantial California Constitutional and statutory regulatory and enforcement authority over PG&E, which will continue after PG&E’s probationary term with the Court ends.

The CPUC does not object to new proposed terms of probation 11 and 12, as modified by PG&E and the Government, but the CPUC does have concerns about the efficacy of the probationary conditions proposed by *Amici* Alex Cannara and Gene A. Nelson. Specifically, the CPUC believes they may be redundant or counterproductive in light of the CPUC’s recent orders and the Wildfire Safety Division’s oversight and improvement efforts already in progress.

To the extent the Court is considering adopting *Amici*’s proposed terms of probation, the CPUC asks the Court for an additional two weeks to consider the proposed conditions and report its recommendations to the Court. If the Court is not inclined to adopt *Amici*’s proposed terms, the CPUC would not seek further comment.

Respectfully,

/s/ Christine Jun Hammond
AROCLES AGUILAR
CHRISTINE JUN HAMMOND
CHRISTOFER NOLAN
Attorneys for the CALIFORNIA PUBLIC UTILITIES
COMMISSION

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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA,

Case No. 14-cr-00175-WHA

Plaintiff.

VS.

**CPUC CERTIFICATE OF SERVICE
RE MOTION FOR LEAVE TO FILE
AMICUS LETTER**

PACIFIC GAS AND ELECTRIC COMPANY,

Hearing Date: 02/03/2021
Time: 8:00 am
Courtroom: 12, 19th Floor
Judge: Hon. William H. Alsup

Defendant

1 I am a citizen of the United States, over 18 years of age, employed in
2 the City and County of San Francisco, and not a party to the subject cause. My
3 business address is the California Public Utilities Commission, Legal
Division, 505 Van Ness Avenue, San Francisco, California 94102.

4 On February 2, 2021, I sent the following documents:
5

- 6 **1. CPUC MOTION FOR LEAVE TO FILE AMICUS LETTER;**
7 **2. CPUC CERTIFICATE OF SERVEICE RE MOTION FOR**
8 **LEAVE TO FILE AMICUS LETTER**

9 to the following interested parties by email:

10 Maria Severson, Esq.
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I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 2, 2021, at San Francisco, California.

By: /s/ Christofer C. Nolan
AROCLES AGUILAR
CHRISTINE JUN HAMMOND
CHRISTOFER C. NOLAN

Attorneys for the CALIFORNIA PUBLIC
UTILITIES COMMISSION